

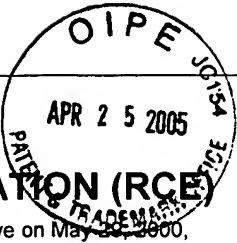
**REQUEST
FOR
CONTINUED EXAMINATION (RCE)**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000.

Provides for continued examination of a utility or plant

Application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)



Application Number: 10/026,189
Filing Date: December 21, 2001
First Named Inventor: EMERY
Group Art Unit: 2177
Examiner Name: Kuen S. Lu
Attorney Docket Number: I20 01530 US
CUSTOMER NO.: 27623

This is a Request for Continued Examination (RCE) Under 37 C.F.R. § 1.114 of the above-identified application.

Note: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 153 (d) (PTO/SB/29) instead of RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (August 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (March 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**

a. _____ Previously submitted

i. _____ Consider the amendment(s)/reply under 37 C.F.R. 1.116 previously filed on _____ (any unentered amendment(s) referred to above will be entered).

ii. _____ Consider the arguments in the Appeal Brief or Reply Brief previously filed filed on _____

iii. _____ Other _____

b. **XXXXX** Enclosed

i. **XXXXX** Amendment/Reply with transmittal

ii. _____ Affidavit(s)/Declaration(s)

iii. _____ Information Disclosure Statement (IDS) and PTO-1449

iv. _____ Other _____

2. **Miscellaneous**

a. _____ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. §1.17(i) required)

b. _____ Other _____

3. **Fees** The RCE fee Under 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed.

a. **XXXXX** The Director is hereby authorized to charge any deficiency in fees, or credit any overpayments to Deposit Account No. **01-0467**.

i. **XXXXX** RCE fee (\$790.00) required under 37 C.F.R. §1.17(e)

ii. _____ Extension of Time fee (37 C.F.R. §§ 1.136 and 1.17)

iii. _____ Other _____

b. **XXXXX** Check in the amount of \$ 790.00 enclosed

c. _____ Payment by credit card (Form PTO-2038 enclosed)

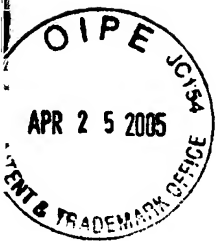
Dated: April 21, 2005

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Emery et al.
Serial No.: 10/026,189
For: METHOD AND APPARATUS FOR RETRIEVING TIME
SERIES DATA RELATED TO AN ACTIVITY
Filed: December 21, 2001
Examiner: Lu, Kuen S.
Art Unit: 2177
Confirmation No.: 9516
Customer No.: 27623 Attorney Docket No.: I20 -1530 US

**AMENDMENT ACCOMPANYING REQUEST FOR CONTINUED
EXAMINATION**

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the final Office Action dated January 21, 2005 please amend
the above patent application as follows:

Claim Amendments begin at page 2.

Remarks begin at page 8.